

Attorney Docket No. INBI-007/64US

PATENT

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231 on January 2, 2002.

By: Vikki L. Athen
Vikki L. Athen

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of BORDERS et al.

Serial No.: 09-904,352

Examiner: Not Yet Assigned

Confirmation No.: 2880

Art Unit: 1653

Filed: July 13, 2001

For: DERIVATIVES OF LASPARTOMYCIN AND PREPARATION AND USE
THEREOF

Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL OF REVOCATION AND NEW POWER BY ASSIGNEE

Enclosed is the following document for the above-identified application:

- ☒ [x] Revocation and New Power by Assignee with Statement Under 37 CFR §3.73(b) statement
- ☒ [x] Return postcard

Cooley Godward LLP
ATTN: Patent Group
Five Palo Alto Square
3000 El Camino Real
Palo Alto, CA 94306-2155
Tel: (650) 843-5000
Fax: (650) 857-0663

Respectfully submitted,
COOLEY GODWARD LLP

By: Ann M. Caviani Pease
Ann M. Caviani Pease
Reg. No. 42,067

RECEIVED

TECHNOLOGY CENTER

**REVOCATION AND NEW POWER
BY ASSIGNEE**

The Assignee of the entire right, title, and interest in the above-identified application hereby revokes all previously granted powers and grants the registered practitioners of Cooley Godward LLP included in the Customer Number provided below power to act, prosecute, and transact all business in the U.S. Patent and Trademark Office in connection with the captioned application, any applications claiming priority to the captioned application, and any patents issuing therefrom. A Certificate under 37 C.F.R. §3.73(b) is enclosed.

Please direct all telephone calls and correspondence to:

COOLEY GODWARD LLP
ATTN: Patent Group
Five Palo Alto Square
3000 El Camino Real
Palo Alto, CA 94306-2155
Tel: (650) 843-5000
Fax: (650) 857-0663

CUSTOMER NUMBER: **23419**

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

Date: 1/22/02 Signature: Natalie L. McClure
Name: Natalie L. McClure
Title: Vice President, Product Development
Company: IntraBiotics Pharmaceuticals, Inc.

STATEMENT UNDER 37 C.F.R. § 3.73(b)

IntraBiotics Pharmaceuticals, Inc. states that it is the assignee of the entire right, title, and interest in the patent applications/patents identified below by virtue of either the assignments or the chains of title listed below:

SERIAL NO./ PATENT NO.	FILING DATE	TITLE	REEL/FRAME
08/562,346	November 22, 1995	FINE-TUNED PROTEGRINS	8238/0973
08/649,811	May 17, 1996	FINE-TUNED PROTEGRINS	8159/0985 8159/0991
08/690,921	August 1, 1996	FINE-TUNED PROTEGRINS	8197/0588 8197/0595 8196/0518
08/752,852 5,994,306	November 21, 1996	FINE-TUNED PROTEGRINS	8516/0289 8586/0505 8586/0532
08/752,853 6,025,326	November 21, 1996	FINE-TUNED PROTEGRINS	8586/0601
09/368,009	August 3, 1999	FINE-TUNED PROTEGRINS	recorded in 08/752,853 8514/0489
09/495,210	January 31, 2000	FINE-TUNED PROTEGRINS	recorded in 08/752,853 8514/0489
08/674,622	July 3, 1996	PAREVINS AND TACHYTEGRINS	8331/0528 8331/0533 8331/0567
09/128,344 6,307,016	August 3, 1998	PAREVINS AND TACHYTEGRINS	9535/0980 9536/0029
09/865,943	May 24, 2001	PAREVINS AND TACHYTEGRINS	recorded in 09/128,344 9535/0980 9536/0029
08/984,294 6,043,220	December 3, 1997	THREONINE-CONTAINING PROTEGRINS	9543/0298 9543/0435 9543/0793
60/207,659	May 31, 2000	AMIDE DERIVATIVES OF POLYENE MACROLIDES AND PREPARATION AND USES THEREOF	12139/0054
60/219,059	July 17, 2000	DERIVATIVES OF LASPARTOMYCIN AND PREPARATION AND USE THEREOF	12081/0452
60/220,950	July 26, 2000	DERIVATIVES OF LASPARTOMYCIN AND PREPARATION AND USE THEREOF	12081/0444
09/760,328	January 12, 2001	DERIVATIVES OF LASPARTOMYCIN AND PREPARATION AND USE THEREOF	11476/0937

SERIAL NO./ PATENT NO.	FILING DATE	TITLE	REEL/FRAME
09/904,756	July 13, 2001	ANTIMICROBIAL SULFONAMIDE DERIVATIVES OF LIPOPEPTIDE ANTIBIOTICS	12151/0226
09/904,352	July 13, 2001	DERIVATIVES OF LASPARTOMYCIN AND PREPARATION AND USE THEREOF	12150/0683
60/286,254	April 24, 2001	EXTRACTIVE PURIFICATION OF LIPOPEPTIDE ANTIBIOTICS	12080/0506
09/948,374	September 6, 2001	EXTRACTIVE PURIFICATION OF LIPOPEPTIDE ANTIBIOTICS	12157/0438
08/685,589 5,916,872	July 24, 1996	CYCLIC PEPTIDES HAVING BROAD SPECTRUM ANTIMICROBIAL ACTIVITY	8327/0851
09/340,852	June 28, 1999	CYCLIC PEPTIDES HAVING BROAD SPECTRUM ANTIMICROBIAL ACTIVITY	recorded in 08/685,589 8327/0851

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

Date: 1/22/02

Natalie L. McClure
Signature

Natalie L. McClure
Typed or printed name

VP, Product Development
Title



UNITED STATES
PATENT AND
TRADEMARK OFFICE

1NBI-00710403
AMP

NOVEMBER 20, 2001

PTAS

Under Secretary for Intellectual Property and
Director of the United States Patent and Trademark Office
Washington, DC 20231
www.uspto.gov

PENNIE & EDMONDS LLP
SUNIL K. SINGH
1155 AVENUE OF THE AMERICAS
NEW YORK, NY 10036



101843179A

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

8067-13

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 09/05/2001

REEL/FRAME: 012150/0683
NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

BORDERS, DONALD B.

DOC DATE: 08/27/2001

ASSIGNOR:

CUREAN, WILLIAM V.

DOC DATE: 08/27/2001

ASSIGNOR:

FANTINI, AMEDEO A.

DOC DATE: 08/27/2001

ASSIGNOR:

FRANCIS, NOREEN D.

DOC DATE: 08/27/2001

ASSIGNOR:

JAROLMEN, HOWARD

DOC DATE: 08/27/2001

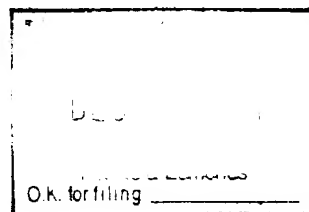
ASSIGNOR:

LEESE, RICHARD A.

DOC DATE: 08/27/2001

ASSIGNEE:

INTRABIOTICS PHARMACEUTICALS, INC.
1245 TERRA BELLA AVENUE
MOUNTAIN VIEW, CALIFORNIA 94043



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COCKETT & CO. ARD LL

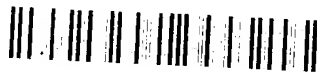
012150/0683 PAGE 2

SERIAL NUMBER: 09904352 ✓
PATENT NUMBER:

FILING DATE: 07/13/2001
ISSUE DATE:

JEFFREY OLSEN, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

09-14-2001



101843179

Attorney Docket Number

8067-113-999

TO THE HONORABLE COMMISSIONER OF PATENTS AND TRADEMARKS
Box Assignment
Washington, DC 20231

Please record the attached original documents or copy thereof

1. Name of conveying party(ies):

Donald B. Borders; William V. Curran; Amedeo
A. Fantini; Noreen D. Francis; Howard
Jarolmen; Richard A. Leese

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other _____

Execution Date: August 27, 2001, respectively

2. Name and address of receiving party(ies):

Name: IntraBiotics Pharmaceuticals, Inc.

Address: 1245 Terra Bella Avenue
Mountain View, CA 94043

Country (if other than USA): _____

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is _____

A. Patent Application No.(s) 09 904,352

B. Patent No.(s) _____

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed

PENNIE & EDMONDS LLP
1155 Avenue of the Americas
New York, NY 10036

6. Number of applications

and patents involved: 17. Total fee (37 CFR 3.41) \$ 40,000

Please charge to the deposit account listed in Section 8.

8. Deposit account number:

16-1150**DO NOT USE THIS SPACE**

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Sunil K. Singh45,298

Name of Person Signing (Reg. No.)

Signature

September 5, 2001

Date

for Samuel B. Abrams (Reg. No. 30,605)

Total number of pages including cover sheet

4

ASSIGNMENT

WHEREAS, WE, Donald B. Borders, William V. Curran, Amedeo A. Fantini, Noreen D. Francis, Howard Jarolmen, Richard A. Leese, ASSIGNORS, citizens of the United States, residing at 13 Heatherhill Lane, Suffern, NY 10901; 27 Harding Street, Pearl River, NY 10965; 2 The Glen, New City, NY 10956; 12 Brookside Drive West, Harriman, NY 10926; 26-07 Merritt Place, Fair Lawn, NJ 07410; 7 Marget Ann Lane, Suffern, NY 10901, are the inventors of the invention in DERIVATIVES OF LASPARTOMYCIN AND PREPARATION AND USE THEREOF for which we have executed an application for a Patent of the United States

☐ which is executed on ☒ even date herewith or ☐ _____

☒ which is identified by Pennie & Edmonds LLP docket no. 8067-113-999

☒ which was filed on July 13, 2001, Application No. 09/904,352

and WHEREAS, IntraBiotics Pharmaceuticals, Inc., having a place of business at 1245 Terra Bella Avenue, Mountain View, CA 94043, ASSIGNEE is desirous of obtaining our entire right, title and interest in, to and under the said invention and the said application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said ASSIGNORS, have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, our entire right, title and interest in, to and under the said invention, and the said United States application and all divisions, renewals and continuations thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof; and all applications for industrial property protection, including, without limitation, all applications for patents, utility models, and designs which may hereafter be filed for said invention in any country or countries foreign to the United States, together with the right to file such applications and the right to claim for the same the priority rights derived from said United States application under the Patent Laws of the United States, the International Convention for the Protection of Industrial Property, or any other international agreement or the domestic laws of the country in which any such application is filed, as may be applicable; and all forms of industrial property protection, including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof;

AND WE HEREBY authorize and request the Commissioner of Patents and Trademarks of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents or other evidence or forms of industrial property protection on applications as aforesaid, to issue the same to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument

AND WE HEREBY covenant and agree that we have full right to convey the entire interest herein assigned, and that we have not executed, and will not execute, any agreement in conflict herewith.

AND WE HEREBY further covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, reissue and foreign applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for said invention in all countries.

IN TESTIMONY WHEREOF, We hereunto set our hands and seals the day and year set opposite our respective signatures.

Date August 27, 2001 Donald B. Borders L.S.
Donald B. Borders

Date Aug. 27, 2001 William V. Curran L.S.
William V. Curran

Date August 27, 2001 Amedeo A. Fantini L.S.
Amedeo A. Fantini

Date August 27, 2001 Noreen D. Francis L.S.
Noreen D. Francis

Date August 27, 2001 Howard Jarolmen L.S.
Howard Jarolmen

Date August 27, 2001 Richard A. Leese L.S.
Richard A. Leese

State of NY)
County of PLAID) SS.

On Aug 27, 2001, before me, ESTRELLA C. BAZLEN, Notary Public, personally appeared Donald B. Borders, personally known to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

ESTRELLA C. BAZLEN
Notary Public, State of New York
4622290
Qualified in Rockland County
10/31/2002

State of NY)
County of PLAID) SS.

On Aug 27, 2001, before me, ESTRELLA C. BAZLEN, Notary Public, personally appeared William V. Curran, personally known to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

ESTRELLA C. BAZLEN
Notary Public, State of New York
4622290
Qualified in Rockland County
Commission Expires 10/31/2002

State of NY)
County of PLAID) SS.

On Aug 27, 2001, before me, ESTRELLA C. BAZLEN, Notary Public, personally appeared Amedeo A. Fantini, personally known to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

ESTRELLA C. BAZLEN
Notary Public, State of New York
4622290
Qualified in Rockland County
Commission Expires 10/31/2002

State of NY)
County of PLAID) SS.

On Aug 27, 2001, before me, ESTRELLA C. BAZLEN, Notary Public, personally appeared Koreen D. Francis, personally known to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

ESTRELLA C. BAZLEN
Notary Public, State of New York
4622290
Qualified in Rockland County
Commission Expires 10/31/2002

State of NY)
County of Rockland) SS.:

On Aug 27, 2001, before me, ESTRELLA C. BAZLEN, Notary Public, personally appeared Howard Jarolmen, personally known to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

Estrella C. Bazlen

ESTRELLA C. BAZLEN
Notary Public, State of New York
4622290
Qualified in Rockland County
Commission Expires 10/31/2002

State of NY)
County of Rockland) SS.:

On Aug 27, 2001, before me, ESTRELLA C. BAZLEN, Notary Public, personally appeared Richard A. Leese, personally known to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

Estrella C. Bazlen

ESTRELLA C. BAZLEN
Notary Public, State of New York
4622290
Qualified in Rockland County
Commission Expires 10/31/2002